

**THIRTY-SECOND DAY**  
(Wednesday, March 6, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire, Williams.

A quorum was announced present.

The Honorable Tom R. Parett, Mayor of San Angelo, offered the invocation as follows:

Almighty God, Creator of all things and Divine Counselor to all mankind, how inspiring that this great assembly of Texas Senators pause on the eve of a busy working day to give thanks to Thee for many, many blessings we enjoy as citizens of this great state of Texas and to seek Thy divine guidance in solving the knotty problems facing our state this day.

Father, we would pray that as each Senator approaches each moment of decision making—decision making so important to the lives and fortunes of millions of fellow Texans—that he ask himself, "If God were in this chair today, what would His decision be?" By this submissive act might he bring closer to reality our Lord's prayerful plea "Thy will be done on earth as it is in heaven." This, oh Father, is our prayer to You this day. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**REPORTS OF STANDING COMMITTEES**

Senator Howard, Vice-chairman, submitted the following report for the Committee on Finance:

**S.B. 623**

**S.B. 607**

**S.B. 603**

**S.B. 602**

**S.B. 575**

Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

**H.B. 448**

**C.S.S.B. 49**

Senator Caperton submitted the following report for the Committee on Criminal Justice:

**S.B. 432**

**S.B. 441**

**C.S.S.B. 427**

**S.B. 570 (Amended)**

**C.S.S.B. 355**

Senator Mauzy submitted the following report for the Committee on Jurisprudence:

C.S.S.C.R. 52  
C.S.S.B. 406  
S.B. 266  
S.B. 405  
C.S.S.B. 72  
S.B. 638  
C.S.S.C.R. 14

## MESSAGE FROM THE HOUSE

House Chamber  
March 6, 1985

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

**SIR:** I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 665**, Relating to validation of certain actions of the Midlothian Water District.

**H.B. 339**, Relating to the jurisdiction of County Courts Nos. 1 and 2 of Galveston County and to the salaries of the judges of those courts.

**H.B. 18**, Relating to the application of the Professional Prosecutors Act to certain prosecuting attorneys and to the compensation of the county attorney of Robertson County.

**H.B. 271**, Relating to the form of payment of the fee for a permit to move a mobile home on a highway.

**S.B. 78**, Relating to the duties of the county attorneys of Callahan and Coleman counties and the criminal district attorney of the 42nd and 104th Judicial Districts.

**H.C.R. 102, Congratulating the Reverend Richard McCabe.**

Respectfully,

**BETTY MURRAY, Chief Clerk**  
House of Representatives

## GUEST PRESENTED

Senator Caperton was recognized and introduced John Odam, Senate liaison from the Governor's Office.

Mr. Odam was welcomed by the Senate.

## SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 452** by Traeger, Brooks **Health and Human Resources**  
 Relating to health care for certain indigent individuals.

**S.B. 738** by Uribe **Education**  
 Relating to students at public and private institutions of higher education who are  
 absent from classes on a religious holy day.

**S.B. 739** by Uribe Education  
Relating to loans to certain school districts for renovation or construction of buildings.

**S.B. 740** by Glasgow Finance  
Relating to taxation of motor fuels by certain interstate truckers and the provision of allowances therefore; amending certain requirements for credits or refunds of taxes paid by a certain interstate truckers; amendment of evidence of delivery diesel fuel into fuel supply tanks; amendment of exceptions to imposition of motor fuel taxes applicable on gasoline brought into the state in certain vehicles; declaring an emergency.

**S.B. 741** by Glasgow Intergovernmental Relations  
Relating to the use of money in the public transportation fund by certain organizations for rural public transportation.

**S.B. 742** by Glasgow Finance  
Relating to salaries of appellate and district court justices and judges.

**S.B. 743** by Glasgow State Affairs  
Relating to a person's property right in the person's name, voice, signature, photograph, or likeness.

**S.B. 744** by Glasgow Criminal Justice  
Relating to the offense of improperly displaying an abusable glue or aerosol paint or delivering an abusable glue or aerosol paint to a person who is younger than 17 years of age.

**S.B. 745** by Farabee State Affairs  
Relating to state contributions to the Teacher Retirement System of Texas and the optional retirement program for certain employees of institutions of higher education.

**S.B. 746** by Henderson Economic Development  
Relating to the operation in the state of certain foreign bank agencies.

**S.B. 747** by Leedom Finance  
Relating to a property tax exemption for certain property of a religious organization.

**S.B. 748** by Leedom Economic Development  
Relating to the regulation of taxicabs operating at certain airports.

**S.B. 749** by Parmer Economic Development  
Relating to restraining orders under the Deceptive Trade Practices-Consumer Protection Act, as amended (Section 17.41 et seq., Business & Commerce Code); amending Subsection (a), Section 17.47, Deceptive Trade Practices-Consumer Protection Act, as amended (Chapter 17, Business & Commerce Code).

**S.B. 750** by Sarpalius Intergovernmental Relations  
Relating to the creation, administration, expansion, funding, and dissolution of emergency communication districts in certain counties in which a 9-1-1 telephone number is used as the primary emergency telephone number and to the powers and duties of the districts, participating jurisdictions, and service suppliers; providing for the imposition and collection of fees; authorizing issuance of tax-free revenue bonds, including refunding bonds, and for further security for payment; providing permissible terms and provisions of bonds and their characteristics and for their eligibility for investments and security for deposit of public funds; requiring approval of the attorney general and registration by the comptroller.

**S.B. 751** by Harris Economic Development  
Relating to insolvency of insurance companies; increasing limitations on the amount of covered claims; defining terms; amending Articles 21.28-C and 5.76(c), Insurance Code of Texas.

**S.B. 752** by Parmer Natural Resources  
Relating to the administration and regulation of solid waste management practices under the Solid Waste Disposal Act, Chapter 405, Acts of the 61st Legislature, 1969, as amended (Article 4477-7, Vernon's Texas Civil Statutes) and under the Injection Well Act as amended (Chapter 27, Texas Water Code).

**S.B. 753** by Montford Criminal Justice  
Relating to establishing a procedure through which a person accused of a crime may obtain notice of the particular offense with which he is charged in addition to the notice provided in the indictment or information in the case.

**S.B. 754** by Montford Intergovernmental Relations  
Relating to contributions to and disbursements from firemen's relief and retirement funds in certain cities.

**S.B. 755** by Montford Intergovernmental Relations  
Relating to authorizing the creation of metropolitan transit authorities in metropolitan areas containing at least 170,000 inhabitants; authorizing an increase in the number of members of an authority board; providing for the removal of members of an authority board by the governing body of a principal city; and authorizing, under certain circumstances, the governing body of a principal city to require prior approval of actions by a metropolitan transit authority.

**S.B. 756** by Krier Criminal Justice  
Relating to the penalties for certain offenses involving indecency with or injury to a child committed by a person having supervision, care, custody, or control of the child.

**S.B. 757** by Krier Criminal Justice  
Relating to the imposition of certain conditions of bail, probation, mandatory supervision, and parole for defendants charged with or convicted of certain offenses with children as victims.

**S.B. 758** by Krier Criminal Justice  
Relating to venue in the criminal prosecution of an offense committed against a child.

**S.B. 759** by Jones Finance  
Relating to the payment of taxes on appeal of a property tax determination.

**S.B. 760** by Jones Finance  
Relating to procedures by which a property owner may protest certain property tax matters, including the failure of property tax officials to provide notice of certain property tax determinations.

**S.B. 761** by Jones Finance  
Relating to rates of contribution to the Employees Retirement System of Texas and the Teacher Retirement System of Texas and for the optional retirement program.

**S.B. 762** by Sharp State Affairs  
Relating to the conveyance of a right-of-way in certain state-owned property in Fort Bend County.

- S.B. 763** by Sims Education  
Relating to contracts and tuition for the education of students residing in school districts that do not offer classes at all grade levels.
- S.B. 764** by Sims Natural Resources  
Relating to the time period that an estray must be held before title to the animal vests in the county and the method of sale.
- S.B. 765** by Harris Jurisprudence  
Relating to the definitions of gambling devices and gambling paraphernalia and providing an exception for contrivances or items designed, made and adapted solely for use in a government-sponsored lottery or other game in another sovereign jurisdiction.
- S.B. 766** by McFarland Economic Development  
Relating to permissible investments of public funds.
- S.B. 767** by McFarland Economic Development  
Amending the Texas Trust Code relating to the investments by a trustee.
- S.B. 768** by McFarland Criminal Justice  
Relating to the classification of certain offenses as felonies of the fourth degree, to the jurisdiction of certain courts hearing criminal cases, to the punishment imposed for Class C misdemeanors, to the punishments for the offenses of criminal mischief, burglary of a coin-operated machine, burglary of a vehicle, theft, theft of service, unauthorized use of a vehicle, forgery, and credit card abuse, and to the sentencing of certain defendants convicted of those property offenses.
- S.B. 769** by McFarland Criminal Justice  
Relating to the eligibility of certain defendants for participation in a restitution center program as an alternative to confinement in the Texas Department of Corrections and to the funding by the Texas Adult Probation Commission of community-based centers as alternatives to traditional correctional facilities.
- S.B. 770** by Farabee Economic Development  
Relating to the approval and form of bonds; transactions concerning the issuance, sale, exchange, and redemption of bonds; pledges for the security for bonds or transactions; and the investment of the proceeds from the sale of bonds; amending the Bond Procedures Act of 1981 (Article 717k-6, Vernon's Texas Civil Statutes).
- S.B. 771** by Farabee State Affairs  
Relating to adjudication of claims arising from programs provided under the Texas Employees Uniform Group Insurance Benefits Act.
- S.B. 772** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 1; and declaring an emergency.
- S.B. 773** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 2; and declaring an emergency.
- S.B. 774** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 3; and declaring an emergency.

- S.B. 775** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 4; and declaring an emergency.
- S.B. 776** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 5; and declaring an emergency.
- S.B. 777** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 6; and declaring an emergency.
- S.B. 778** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 7; and declaring an emergency.
- S.B. 779** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility district No. 8; and declaring an emergency.
- S.B. 780** by Henderson Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 9; and declaring an emergency.
- S.B. 781** by Lyon Economic Development  
Relating to certain retail installment contracts.
- S.B. 782** by Jones Economic Development  
Relating to the regulation and operation of banks.
- S.B. 783** by Williams Intergovernmental Relations  
Relating to the establishment of a rural fire prevention district within the corporate or extraterritorial jurisdiction of a city.
- S.B. 784** by Brooks Intergovernmental Relations  
Relating to the creation, powers, duties, administration, and dissolution of mass transit departments in certain cities and towns.
- S.B. 785** by Brooks Health and Human Resources  
Relating to the transfer of authority to design, construct, equip, furnish, maintain, and improve buildings within the jurisdiction of the Texas Department of Mental Health and Mental Retardation from the department to the State Purchasing and General Services Commission.
- S.B. 786** by Brooks Health and Human Resources  
Relating to the employment of a private investigator by the State Board of Morticians.
- S.B. 787** by Brooks Health and Human Resources  
Relating to the duties of a dental hygienist.
- S.B. 788** by Brooks Intergovernmental Relations  
Relating to the creation, powers, duties, administration, and dissolution of mass transit departments in certain cities.

**S.B. 789** by Brooks Health and Human Resources  
Relating to the obligation of a hospital or ambulatory surgical facility to provide health care for indigents.

**S.B. 790** by Brown Natural Resources  
Relating to the creation, administration, powers, duties, operations, functions, and financing of the Brazos Bend Water Authority.

**S.B. 791** by Brown Natural Resources  
Relating to the requirement for a saltwater sportfishing stamp and to fees; providing a penalty; amending Chapter 43, Parks and Wildlife Code, as amended, by adding Subchapter L and amending Section 11.032, Parks and Wildlife Code, as amended.

**S.B. 792** by Brown Natural Resources  
Relating to the regulation of vendors on certain public beaches.

**S.B. 793** by Brown Natural Resources  
Relating to the protection of sand dunes on certain beaches.

**S.B. 794** by Brown Economic Development  
Relating to the exclusion of independent school districts from the wage rate requirements for public works projects.

**S.B. 795** by Brown Natural Resources  
Relating to the Coastal Waterway Act of 1975 and the authorization for the State to cooperate and work with other Gulf coastal states in matters relating to the Gulf Intracoastal Waterway; and the inclusion of additional authority of the State in the event the U.S. Corps of Engineers reduces or eliminates its traditional financial support for maintenance of the Gulf Intracoastal Waterway in Texas.

**S.B. 796** by Brooks Health and Human Resources  
Relating to the provision of primary health care to eligible low-income individuals.

**S.B. 797** by McFarland Jurisprudence  
Relating to adoption of a nonsubstantive revision of the statutes relating to civil procedure and civil remedies and liabilities.

**S.J.R. 26** by Montford Criminal Justice  
Proposing a constitutional amendment relating to the manner in which a person is charged with a criminal offense and to the investing of jurisdiction of criminal cases in the courts.

**S.J.R. 27** by Montford Intergovernmental Relations  
Proposing a constitutional amendment to abolish the office of county treasurer in Andrews County.

**S.J.R. 28** by Brown, Howard State Affairs  
Proposing a constitutional amendment authorizing the legislature to aid the development of international commerce.

**S.J.R. 29** by Parker Health and Human Resources  
Proposing a constitutional amendment authorizing the legislature to provide by law for the creation, administration, operation, powers, duties, financing, and dissolution of indigent health care districts.

**S.C.R. 62**, by Brooks Health and Human Resources  
Requesting the cooperation of the Texas Department of Mental Health and Mental Retardation and the State Board of Insurance in implementing the recommendation of the Legislative Oversight Committee on Mental Health and Mental Retardation for persons with mental disabilities.

**S.C.R. 63** by Brooks Health and Human Resources  
Requesting the cooperation of the Texas Department of Mental Health and Mental Retardation in implementing the recommendation of the Legislative Oversight Committee on Mental Health and Mental Retardation to develop incentives for community residential services.

**S.C.R. 64** by Brooks Health and Human Resources  
Requesting the cooperation of the Texas Department of Mental Health and Mental Retardation and the Texas Commission on Alcoholism in implementing the recommendation of the Legislative Oversight Committee to eliminate admitting alcoholic patients to Texas state mental hospitals.

**S.C.R. 65** by Brown State Affairs  
Requesting the division of emergency management of the Office of the Governor to consider prompt funding of the Public Information Emergency System.

#### **HOUSE BILLS ON FIRST READING**

The following bills received from the House were read the first time and referred to the Committee indicated:

**H.B. 61**, To Committee on Intergovernmental Relations.

**H.B. 71**, To Committee on State Affairs.

**H.B. 385**, To Committee on Economic Development.

#### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas  
March 5, 1985

TO THE SENATE OF THE SIXTY-NINTH LEGISLATURE,  
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

**TO BE A MEMBER OF THE STATE COMMISSION FOR THE BLIND:**

For a term to expire January 1, 1991:

**ROBERT PETERS, Ph.D.**

1524 East Devine

Tyler, Texas 75701

(Dr. Peters is replacing Mr. Emmett E. Moore of Houston, Harris County, Texas, whose term expired.)



**TO BE A MEMBER OF THE TEXAS MERIT SYSTEM COUNCIL:**

For a term to expire February 1, 1989:

**ARTURO MANCHA**

1815 William Street

Eagle Pass, Texas 78852

(Mr. Mancha is replacing Mr. Edward P. Rodrigues of Eagle Pass, Maverick County, Texas, whose term expired.)

**TO BE A MEMBER OF THE TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS:**

For a term to expire September 1, 1985:

**THE HONORABLE TOM VICKERS**

County Judge

5926 Winding Ridge

San Antonio, Texas 78239

(Judge Vickers is replacing The Honorable Albert Bustamante of San Antonio, Bexar County, Texas, who resigned.)

Respectfully submitted,

/s/Mark White

Governor of Texas

**BILLS SIGNED**

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills:

**S.B. 2**

**S.B. 166**

**S.B. 306**

**CO-AUTHOR OF SENATE BILL 129**

On motion of Senator Sharp and by unanimous consent, Senator Sims will be shown as Co-author of **S.B. 129**.

**CO-AUTHOR OF SENATE BILL 362**

On motion of Senator Caperton and by unanimous consent, Senator Edwards will be shown as Co-author of **S.B. 362**.

**GUEST PRESENTED**

Senator Parmer was recognized and presented to the Senate the Capitol Physician for the Day, Dr. Henry Wilson Thomas of Fort Worth.

The Senate expressed their appreciation to Dr. Thomas.

**COMMITTEE SUBSTITUTE SENATE BILL 10 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 10**, Relating to the time and methods of payment of certain state taxes.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 10 ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 10** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

**COMMITTEE SUBSTITUTE SENATE BILL 423 ON SECOND READING**

On motion of Senator Jones and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 423**, Relating to school district improvement funding authorities.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 423 ON THIRD READING**

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 423** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE SENATE BILL 332 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 332**, Relating to requiring identifying markings on certain motor vehicles; providing a penalty; adding Article 6701b-1 to Title 116, Revised Statutes.

The bill was read second time.

Senator Sarpalius offered the following amendment to the bill:

Amend **S.B. 332**, Section 3, by adding a new Subdivision (4) to read as follows:

“(4) any commercial motor vehicle, truck-tractor, or road-tractor registered under Section 6a, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-6a, Vernon’s Texas Civil Statutes).

The amendment was read and was adopted.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 332 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

#### **COMMITTEE SUBSTITUTE SENATE BILL 394 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 394**, Relating to minimum standards of sanitation and safety for public swimming pools, including spas.

The bill was read second time and was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 394 ON THIRD READING**

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

#### **COMMITTEE SUBSTITUTE SENATE BILL 206 ON SECOND READING**

On motion of Senator Sims and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 206**, Relating to the creation, administration, powers, duties, operations, fiscal procedures, and taxing authority of the Irion County Water Conservation District.

The bill was read second time and was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 206 ON THIRD READING**

Senator Sims moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 206 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**SENATE BILL 297 ON SECOND READING**

On motion of Senator Traeger and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 297**, Relating to the service of alcoholic beverages by a private club in a hotel.

The bill was read second time and was passed to engrossment.

**SENATE BILL 297 ON THIRD READING**

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 297** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

**COMMITTEE SUBSTITUTE SENATE BILL 196 ON SECOND READING**

On motion of Senator Parmer and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 196**, Relating to the regulation of the care and treatment of animals in commercial kennels; providing for licensing, fees, and a penalty.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 196 ON THIRD READING**

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 196** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

**MOTION TO PLACE****COMMITTEE SUBSTITUTE SENATE BILL 197 ON SECOND READING**

On motion of Senator Parmer and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 197**, Relating to the regulation of the care and treatment of animals in boarding or riding stables and to licensing of operators of certain stables; providing for allocation of fees and other funds; providing a penalty.

On motion of Senator Parmer and by unanimous consent, the motion to suspend the regular order was withdrawn.

**COMMITTEE SUBSTITUTE SENATE BILL 472 ON SECOND READING**

On motion of Senator Howard and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 472**, Relating to the cigarette and tobacco taxes in Chapters 154 and 155 of the Tax Code.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 472 ON THIRD READING**

Senator Howard moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 472** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

**SENATE BILL 515 ON SECOND READING**

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 515**, Relating to relief from liability for civil damages for disclosing real and personal property sales prices to property tax authorities.

The bill was read second time and was passed to engrossment.

**SENATE BILL 515 ON THIRD READING**

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 515** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

**COMMITTEE SUBSTITUTE SENATE BILL 64 ON SECOND READING**

On motion of Senator Jones and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 64**, Relating to administrative review of property tax determinations.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 64 ON THIRD READING**

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 64** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

**SENATE BILL 548 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 548**, Relating to the use of funds appropriated to the Texas Department of Corrections for the construction and completion of certain building projects.

The bill was read second time and was passed to engrossment.

**SENATE BILL 548 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 548** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Brown, Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Brown.

**COMMITTEE SUBSTITUTE SENATE BILL 599 ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 599**, Relating to exemption from the nepotism rule of certain full time professors and to certain restrictions on future decisions; amending Article 5996a, Revised Statutes, as amended.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 599 ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 599** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**SENATE BILL 598 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 598**, Relating to the imposition of a special cost on conviction of driving while intoxicated or involuntary manslaughter involving the use of a motor vehicle.

The bill was read second time and was passed to engrossment.

**SENATE BILL 598 ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 598** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Glasgow, Washington.

The bill was read third time and was passed.

**RECORD OF VOTE**

Senator Glasgow asked to be recorded as voting "Nay" on the final passage of the bill.

**SENATE BILL 538 ON SECOND READING**

On motion of Senator Jones and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 538**, Relating to the calculation of the taxable value of property in a school district for purposes of public school finance.

The bill was read second time and was passed to engrossment.

**SENATE BILL 538 ON THIRD READING**

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 538** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**SENATE RULE 103 SUSPENDED**

On motion of Senator Caperton and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Criminal Justice might consider **S.B. 169** and **S.J.R. 16** today at 4:00 o'clock p.m.

**CONGRATULATORY RESOLUTION**

**H.C.R. 102** - (Barrientos): Extending congratulations to Father Richard McCabe.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 12:05 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

**APPENDIX**

Signed by Governor  
(March 5, 1985)

H.C.R. 46  
H.C.R. 48  
H.C.R. 56  
H.C.R. 58  
H.C.R. 59  
H.C.R. 74  
H.C.R. 81  
H.C.R. 83  
S.C.R. 30  
S.C.R. 34  
S.C.R. 36  
S.C.R. 44

Sent to Governor  
(March 6, 1985)

S.B. 2  
S.B. 166  
S.B. 306

**THIRTY-THIRD DAY**  
(Thursday, March 7, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire, Williams.

Absent-excused: Glasgow.

A quorum was announced present.

Senator John Leedom offered the invocation as follows:

Dear Heavenly Father, we come together again to deliberate and decide upon those things that are so important to the people of Texas. We pray that as we do this we again realize that there are many alternatives and many approaches, and that we approach this always with understanding and desire that Your will be what we be about. We pray that our relationships, one to another, will always be ones that will bring about the type of decisions You have us do. And as we leave this weekend and go home with our families and wherever, watch over and guide and bless us, and guard us in Christ's Name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved: